

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

UNIVERSAL MEDTECH, INC., *et al.*,

Plaintiffs,

V.

CITY OF REEDLEY, *et al.*,

## Defendants.

Case No. 1:24-cv-00528-JLT-EPG

## ORDER DISCHARGING ORDER TO SHOW CAUSE

(ECF No. 19)

On August 16, 2024, the Court issued an order for Plaintiffs to show cause why their claims against Defendants Jeffrey Maurice and Meridahl Mather should not be dismissed for failure to timely complete service.

Under Federal Rule of Civil Procedure 4(m), “[i]f a defendant is not served within 90 days after the complaint is filed, the court—on motion or on its own after notice to the plaintiff—must dismiss the action without prejudice against that defendant or order that service be made within a specified time.” Fed. R. Civ. P. 4(m). However, “if the plaintiff shows good cause for the failure, the court must extend the time for service for an appropriate period.” *Id.*

Plaintiffs filed this action on May 6, 2024. (ECF No. 1). A summons was issued as to Defendants Maurice and Mather the same day. (ECF No. 4). The Court issued an order to show cause on August 16, 2024, advising Plaintiffs of Rule 4(m)'s service requirement and warning that failure to timely serve the complaint could result in the dismissal of the unserved Defendant.

1 (ECF No. 19). On September 4, 2024, the summons on Defendants Maurice and Mather were  
2 returned executed, indicating both defendants were served on August 29, 2024, by leaving the  
3 summons and complaint with Defendants' authorized agent. (ECF No. 24). Plaintiffs responded  
4 to this order on September 9, 2024, advising the Court that service on Defendants Maurice and  
5 Mather had been diligently attempted throughout July and August 2024. (ECF No. 25 at 2).

6 Accordingly, the Court shall extend the date of service for Defendants Maurice and  
7 Mather to the date they were served, which is August 29, 2024.

8 Therefore, **IT IS ORDERED:**

9 The Court's August 16, 2024, order to show cause is DISCHARGED. (ECF No. 19).

10 IT IS SO ORDERED.

11 Dated: September 10, 2024

12 /s/ *Eric P. Groj*  
13 UNITED STATES MAGISTRATE JUDGE

14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28